US Army Corps of Engineers

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

NUMBER: 24707S DATE: June 25, 2001
RESPONSE REQUIRED BY: July 27, 2001

Regulatory Branch
333 Market Street
San Francisco, CA 94105-2197 PROJECT MANAGER: Gordon Liu TELEPHONE: (415) 977-8463 Email: gliu@.spd.usace.army.mil

1. Introduction: The Monterey County Parks Department (Mr. Richard Brandau, Monterey County Parks Department, 855 E. Laurel Drive, Salinas, CA 93915, (831)-755-4911)) has applied for a Department of the Army permit to construct the South Shore Boat Launch Ramp Improvements at Lake Nacimiento, San Luis Obispo County, California. The County proposes to build two boat ramps (upper and lower), an access road and a new parking lot which will fill part of Lake Nacimiento. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. Project Description: The water level of Lake Nacimiento varies in elevation from 647 feet to 797 feet, which is the ordinary high water (OHW) mark in an annual cycle. The applicant, Monterey County Parks Department, is proposing to fill approximately 2.25 acres of the lake to build a new parking lot, a 410-foot long upper ramp and a 300-foot long lower ramp with a 212-foot long connecting access road below the OHW mark.

The total impacted lake areas for the proposed upper and lower ramps and the transitional access road is estimated to be 1.16 acres and the new parking lot is estimated to be 1.09 acres below the OHW at the 797 foot elevation. However, a net gain of the lake volume will occur due to the proposed excavation of 148,000 cubic yards with only 72,520 cubic yards of fill. This gives a net gain in lake volume of 75,480 cubic yards.

In summary, the existing project site is shown in the attached drawing Figure 1 titled "Lake Nacimiento Recreation Facility Existing Site" dated January 30, 2001. The project applicant is proposing to fill approximately 2.25 acres of lake surface area to create a new parking lot with two new boat launch ramps with transitional access road as depicted in Figure 2, titled "Cut and Fill Limits" dated January 30, 2001. But this excavation and fill activity will give a total of 2,040,000 acre-ft gain in lake volume.

The purpose and need for this project is to provide more parking spaces and longer ramps to accommodate boat launches for all water levels between the wet and dry seasons.

The applicant also provided analysis of three alternative development scenarios:

Alternative 1 – Avoidance of Fill, Maintain South Shore Boat Ramp in its Existing Configurations: This "no project" alternative consists of retaining the existing 200 feet long, 4-lane launch ramp at the project site. This alternative would not cause any change to the topology of the lake shore and no fill or discharge to the lake. This would also mean fewer pollutants entering the shoreline and stored water in the lake. However, this "no project" approach would result in loss of use of the lake by recreational boaters and less revenue from daily boat passes to maintain high quality recreational facilities at the lake.

Alternative 2 – North Shore Alternative: An existing public ramp facility is located on the North Shore of the lake opposite to the existing South Shore Marina as shown in Figure 3, titled Nacimiento Lake Recreation Area. Unlike the South Shore site, this boat launch facility does not experience boat traffic congestion or high demand because of its restricted access and lack of other infrastructure and

recreational amenities. North Ramp Road is narrow, with marginal shoulders due to steep slopes on the northern shore of the lake, and sheer drop-offs on the south side of the north ramp. At present, this road imposes limits on the capacity of car/trailer traffic. Overnight camping is not allowed since basic site infrastructure is lacking. There is no potable water, electric power, or sewer lines on the North Shore. Since the purpose of the Parks Department expansion of boat launch facilities at the lake is to meet current recreational boating demand at the South Shore facility, extensive infrastructure and amenity upgrades and expansions to the North Shore site would be required to make it a viable alternative facility. To provide additional boat launching capability would require widening North Ramp Road and shoulders to more safely accommodate two-way vehicle and boat trailer traffic. This task would necessitate significant cut and fill operations along portions of the existing roadway. Because areas of presently undisturbed land would be adversely affected, the potential of detrimental environmental impacts would require impact analysis and project mitigation through the California Environmental Quality Act (CEQA). This process will require the County to prepare an Environmental Impact Report (EIR).

In order to draw existing South Shore overflow recreation away from that facility, the North Shore site will require the installation of a potable water supply, electric power, and sewer lines. While it is feasible to provide this infrastructure, connections to the existing sources would involve substantial distances; therefore, increasing environmental impacts. Development of self-contained, on-site infrastructure may be more environmentally sensitive, but also more prohibitive in terms of cost versus benefits. Other amenities necessary to attract recreationists from the South Shore site would be similar to those provided at the South Lake Nacimiento Resort Marina: fueling services, general store, hardware and accessories, ski and wakeboard shop, and fish cleaning station. Zoning/land use conformity, and willingness of the Water World Resorts concessionaire to provide such services are factors that would determine the feasibility of providing these amenities.

Based on the above factors, the North Shore alternative is not considered to be environmentally compatible nor cost effective when compared to the preferred alternative/proposed project. In order to achieve the desired purpose of the Monterey County Parks Department, development of this alternative has the potential to create greater environmental impacts than the proposed South Shore facility. Creating a project at the North Shore site that would result in fewer environmental effects would not attract enough recreational boats from the South Shore facility to relieve existing congestions. From a cost effectiveness prospective, development of a successfully competing North Shore project may be prohibitive.

Alternative 3 – South Shore Alternative (Proposed Project Alternative): The South Shore Alternative is the least environmental damaging and least costly alternative. The applicant is proposing to construct a 4-lane boat upper ramp from 800 feet elevation down to 740 feet elevation with a total length of 410 feet and 76 feet wide. During the summer when the water level is low, this upper ramp is useless due to the fact that the water level drops below 700 feet elevation. Therefore, the applicant is also proposing to construct a 25-foot wide and 212-foot long transitional access road which connects the lower end of the upper ramp at 758 feet elevation to a new lower ramp at 744 feet elevation. This lower ramp will be constructed at 744 feet elevation with a total length of 300 feet and 38 feet wide which extends to 699 feet elevation. The transitional access road will have a concrete paved turnaround area of 78 feet long and 38 feet in width.

The applicant is also proposing to construct a new parking lot by excavating 148,000 cubic yards below the OHW at 797 feet elevation and fill part of the lake with 72,520 cubic yards using the excavated material from the lake. The total impacted lake areas for the proposed upper and lower ramps, the transitional

access road and the parking lot below the OHW at 797 feet elevation is approximately 2.25 acres. Due to the excavation from the lake and partial fill of the lake, the net gain for the lake volume is estimated to be approximately 2,040,000 acre-ft.

At this site, the regular boat launching marina infrastructure and amenities, such as potable water supply, electric power, sewer lines, restaurant, overnight camping, fuel depot, are all in place without any additional upgrades. Therefore, this alternative would be the most cost effective with the fewest environmental impacts.

3. State Approvals: The applicant states that he has notified the Regional Water Quality Control Board, Central Coast Region, to determine the need for State water quality certification. If the State Water Resources Control Board determines that this project is consistent with the California Water Quality Control Plan Requirements adopted by the Regional Board and Sections 301, 302, 303, 306 and 307 of the Clean Water Act, the State will issue a Certificate of Conformance with Water Quality Standards to the project proponent. Those parties concerned with water quality problems that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, Central Coast Region, 81 South Higuera Street, Suite 200, San Luis Obispo, CA 93401.

4. Environmental Assessment: Corps of Engineers has assessed the environmental impacts of the action proposed in accordance with the requirements of the National Environmental Policy Act of 1969 (Public Law 91-190), and pursuant to Council on Environmental Quality's Regulations, 40 CFR 1500-1508, and Corps of Engineers' Regulations, 33 CFR 230 and 325, Appendix B. Unless otherwise stated, the Preliminary Environmental Assessment describes only the impacts (direct, indirect, and cumulative) resulting from activities within the jurisdiction of the Corps of Engineers. The Environmental Matrix and other worksheets and supporting data used in the preparation of this Preliminary Environmental Assessment are on file in the South Section, Regulatory Branch, Corps of Engineers, 333 Market Street, San Francisco, California.

The Preliminary Environmental Assessment resulted in the following findings:

a. IMPACTS ON THE AQUATIC ECOSYSTEM

(1) Physical/Chemical Characteristics and Anticipated Changes

Substrate - Lake Nacimiento has 165 miles of shoreline with an estimated 5,400 acres of surface area at the 797 foot elevation. The proposed project will permanently alter portions of the existing substrate by raising approximately 1.09 acres of existing lake bottom to an elevation of 803 feet for a new parking lot. The existing topology of the site is relatively flat, from 810 to 790 feet elevation which will be graded to 803 feet level with the excavated material from the lake as part of the new parking lot.

Since there are no trees or other riparian vegetation associated with the proposed fill site of the lake, the long term environmental impacts are minimal. Due to the proposed extensive excavation of the lake below the OHW, a net increase will be seen in capacity of the lake. This is considered a long term benefit.

Water Supply (Natural) - Although the applicant will use the excavated material from the lake to fill 2.25 acres of the lake surface area for the new parking areas, the net decrease of the total surface area comprises only 0.052 % of the lake total surface area. In this connection, the project will provide a net gain of the reservoir volume of 75,480 cubic yards which is equivalent to 2.04 million acre-feet of fresh water supply. This increased fresh water storage capacity certainly is significantly beneficial on a long term basis for water supply.

Water Quality - The water quality of Lake

Nacimiento will be adversely affected temporarily due to increased turbidity from the excavation activities during the construction of the boat ramps and the parking area. The proposed expansion of the boat ramps and parking areas will be doubled from the existing capacity causing a minor long term adverse effect on water quality.

(2) Biological Characteristics and Anticipated Changes

Wildlife Sanctuaries - The project site proposed for the boat ramps and the adjacent parking fill areas is currently bare of any vegetation or wetlands. This site is devoid of wildlife sanctuary potentials. Therefore, this project will result minimal long term adverse impacts to wildlife or their habitats.

Endangered Species - No impacts to any federally listed endangered species have been indicated at this time. However, should such an impact be identified, the Corps will initiate consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service as required by Section 7 of the Endangered Species Act

Habitat for Fish, Other Aquatic Organisms, and Wildlife – Due to the proposed extensive excavation from the lake and fill part of the lake, this project will directly impact a total of 2.25 acres of lake surface area. Furthermore, during the construction, the proposed extensive excavation will impact to all aquatic habitat at least in a localized level on a short term basis. However, the extensive excavation with partial fill of the lake will result in a substantial increase in lake volume which certainly will be a significant benefit to all aquatic organisms on a long term basis.

b. IMPACTS ON RESOURCES OUTSIDE THE AQUATIC ECOSYSTEM

(1) Physical Characteristics and Anticipated Changes

Air Quality - Project activity would have minor, short-term impacts on air quality in the vicinity of the project site. Based on the relative minor size of the proposed project and limited to an evaluation of air quality impacts only within Corps of Engineers' (Corps) jurisdictional areas, the Corps has determined that the total direct and non-direct project emissions would not exceed the de minimis threshold levels of 40 CFR 93.153. Therefore, the proposed project would conform to the State Air Quality Implementation Plan (SIP) for California.

Noise Conditions - Construction activity would have minor, short term impacts on the ambient noise levels in the project site vicinity. However, the proposed expansion of the boat ramps and increased parking areas, the noise level in the surrounding areas will also be adversely increased a minimum amount on a long term basis.

(2) Biological Characteristics and Anticipated Changes

Riparian Habitat (Not in Corps Jurisdiction) - There is no riparian habitat present on the project site or its immediate adjacent vicinity.

Other Terrestrial Habitat – There are minor long term adverse impacts to the terrestrial habitat due to the increase in the number of berths for pleasure boat dockings and other related aquatic recreational activities.

(3) Socioeconomic Characteristics and Anticipated Changes

Economics – The proposed 47% increase of the existing parking areas will undoubtedly accommodate more aquatic recreation activities on Lake Nacimiento. This increased aquatic recreation activities will induce more economic growth in the immediate vicinity of Lake Nacimiento on a long term basis.

(4) Historic - Cultural Characteristics and

Anticipated Changes

A Corps of Engineers archaeologist is currently conducting a cultural resources assessment of the permit area, involving review of published and unpublished data on file with city, State, and Federal agencies. If, based upon assessment results, a field investigation of the permit area is warranted, and cultural properties listed or eligible for listing on the National Register of Historic Places are identified during the inspection, the Corps of Engineers will coordinate with the State Historic Preservation Officer to take into account any project effects on such properties.

c. SUMMARY OF INDIRECT IMPACTS

None have been identified.

d. SUMMARY OF CUMULATIVE IMPACTS

None have been identified.

e. CONCLUSIONS AND RECOMMENDATIONS

Based on an analysis of the above identified impacts, a preliminary determination has been made that it will not be necessary to prepare an Environmental Impact Statement (EIS) for the subject permit application. The Environmental Assessment for the proposed action has, however, not yet been finalized and this preliminary determination may be reconsidered if additional information is developed.

5. **Alternatives Analysis:** Evaluation of this activity's impacts includes application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b) of the Clean Water Act (33 U.S.C. 1344(b)).

6. **Public Interest Evaluation:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts which the proposed activity may have on the public interest requires a careful weighing of all those factors which become relevant in each particular case. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision will reflect the national concern for both protection and utilization of important resources. All factors which may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

7. **Consideration of Comments:** The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

8. **Submission of Comments:** Interested parties may submit in writing any comments concerning this activity. Comments should include the applicant's name, the number, and the date of this Notice and should be forwarded so as to reach this office within the comment period specified on page one of this Notice. Comments should be sent to the Regulatory Branch. It is Corps policy to forward any such comments which include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose address is indicated in the first paragraph of this Notice, or by contacting Gordon Liu of our office at telephone (415)-977-8463. Details on any changes of a minor nature which are made in the final permit action will be provided on request.